

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

BECKLEY DIVISION

JAMES PRESTON SMITH,

Plaintiff,

v.

CIVIL ACTION NO. 5:07-cv-00285

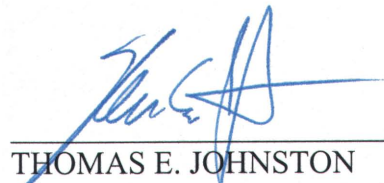
THE UNITED STATES, et al.,

Defendants.

JUDGMENT ORDER

In accordance with the Memorandum Opinion entered this day, the Court **ADOPTS** the PF&R [Docket 4] in its entirety, **DENIES** Petitioner's Petition for Writ of Habeas Corpus [Docket 1], and **DISMISSES** the case from the Court's active docket. The Court **DIRECTS** the Clerk to remove this case from the Court's active docket and to send a certified copy of this Judgment Order and a copy of the accompanying Memorandum Opinion to counsel of record, Petitioner *pro se*, and Magistrate Judge Stanley.

ENTER: June 13, 2008

A handwritten signature in blue ink, appearing to read 'Th. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON
UNITED STATES DISTRICT JUDGE